

REMARKS

Claims 1-4, 6, and 9-13 are pending in this application. By this Amendment, claims 1 and 9 are amended to incorporate subject matter from claims 5, 7 and 8 and claims 1, 5 and 7, respectively; claim 6 is amended to change its dependency; and claims 5, 7 and 8 are canceled. No new matter is added by this Amendment.

Entry of the amendments is proper under 37 CFR §1.116 because the amendments: (a) place the application in condition for allowance for the reasons discussed herein; (b) do not raise any new issue requiring further search and/or consideration as the amendments merely incorporate allowable subject matter into the; (c) do not present any additional claims without canceling a corresponding number of finally rejected claims; and (d) place the application in better form for appeal, should an appeal be necessary. The amendments are necessary and were not earlier presented because they are made in response to arguments raised in the final rejection. Entry of the amendments is thus respectfully requested.

An Information Disclosure Statement with Form PTO-1449 is being filed herewith. The Examiner is respectfully requested to acknowledge and consider the disclosed information, and initial and return to the undersigned a copy of the Form PTO-1449.

I. Allowable Subject Matter

Applicant thanks the Examiner for the indication that claims 8 and 9 contain allowable subject matter. To this end, claim 1 is amended to incorporate the subject matter of claims 5, 7 and 8; and claim 9 is amended to incorporate the subject matter of claim 1, 5 and 7. As acknowledged by the Office Action, claims 1 and 9, as well as the claims depending therefrom, are in condition for allowance.

II. The Claims Define Patentable Subject Matter

Claims 1, 10, 11 and 13 are rejected under 35 U.S.C. §102(e) over U.S. Patent No. 6,842,211 (Katsura); and claims 1-7 and 10-13 are rejected under 35 U.S.C. §103(a) over

U.S. Patent No. 6,433,767 (Murade) in view of U.S. Patent No. 5,953,094 (Matsuoka). These rejections are respectfully traversed.

The claims are amended to incorporate acknowledged allowable subject matter. Accordingly, this rejection is moot.

III. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the pending claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Attachment:
Information Disclosure Statement

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